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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/082,886	02/26/2002	Howard Borchew	CAT311	6339
27055	7590	03/08/2006	EXAMINER	
DAVID R. GILDEA MENLO PATENT AGENCY LLC 435 HERMOSA WAY MENLO PARK, CA 94025			FOX, JAMAL A	
			ART UNIT	PAPER NUMBER
			2664	

DATE MAILED: 03/08/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/082,886

Applicant(s)

BORCHEW ET AL.

Examiner

Jamal A. Fox

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 26 February 2002.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1, 9 and 17 is/are rejected.
- 7) ☒ Claim(s) 2-8, 10-16 and 18 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 February 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1, 9 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pettet (U.S. Patent Application Pub. No. 2003/0014544).

Referring to claim 1, Pettet discloses a method for receiving first and second packets from first and second directions, respectively (see the bidirectional arrows, Fig. 14 ref. sign 1410), comprising:

segmenting (IBA link, Fig. 14 ref. sign 1410), but does not explicitly teach of segmenting first and second packets into one or more X blocks and one or more Y blocks, respectively;

interleaving said X and Y blocks into a merged block stream in a merge order according to times when said X and Y blocks are received from a communication medium; and

purging certain said X blocks from said merged block stream when an X purge pattern is identified within one of said certain X blocks, wherein said certain X blocks are said X blocks segmented from a certain one of said first packets. However, transaction queues are disclosed in (Fig. 14 ref. sign 1418) and discarding certain undesirable packets is disclosed in [0057, lines 10-13]. Therefore, it would have been obvious to

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one having ordinary skill in the art at the time the invention was made to have included to the invention of Pettey segmenting first and second packets into one or more X blocks and one or more Y blocks , respectively;

interleaving said X and Y blocks into a merged block stream in a merge order according to times when said X and Y blocks are received from a communication medium; and

purging certain said X blocks from said merged block stream when an X purge pattern is identified within one of said certain X blocks, wherein said certain X blocks are said X blocks segmented from a certain one of said first packets in order to utilize processing functions such as timing and windowing as suggested by Pettey [0132, lines 15-17].

Referring to claim 9, Pettey discloses an apparatus (Fig. 14) for receiving first and second packets from first and second directions (see the bidirectional arrows, Fig. 14 ref. sign 1410), but does not explicitly teach of the apparatus comprising:

X and Y block sequencers for segmenting said first and second packets into one or more X blocks and one or more Y blocks, respectively;

a block interleaver for interleaving said X and Y blocks into a merged block stream in a merge order according to times when said X and Y blocks are received from a communication medium; and

a packet filter for purging certain said X blocks from said merged block stream when an X purge pattern is identified within one of said certain X blocks, wherein said certain X blocks are said X blocks segmented from a certain one of said first packets.

However, transaction queues are disclosed in (Fig. 14 ref. sign 1418) and discarding certain undesirable packets is disclosed in [0057, lines 10-13]. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to have included to the invention of Pettley X and Y block sequencers for segmenting said first and second packets into one or more X blocks and one or more Y blocks, respectively;

a block interleaver for interleaving said X and Y blocks into a merged block stream in a merge order according to times when said X and Y blocks are received from a communication medium; and

a packet filter for purging certain said X blocks from said merged block stream when an X purge pattern is identified within one of said certain X blocks, wherein said certain X blocks are said X blocks segmented from a certain one of said first packets in order to utilize processing functions such as timing and windowing as suggested by Pettley [0132, lines 15-17].

Referring to claim 17, Pettley discloses a memory (Fig. 14 ref. sign 1404) for storing a representation of packets of multi-directional (see the bidirectional arrows, Fig. 14 ref. sign 1410) communication traffic, but does not explicitly teach of the memory being a trace merge memory comprising:

first addressable locations having data for X blocks of first direction packets of said bursts; and

second addressable locations having data for Y blocks of second direction packets of said bursts, said first addressable locations interspersed with said second addressable locations; wherein,

addresses of said first and second addressable locations are ordered within the memory according to reception times of said X and Y blocks in said communication traffic. However, a physical interface of IBA symbols to a corresponding IBA link is disclosed in [0130, lines 7-9] and memory locations are disclosed in [0071, lines 13-16; 0084, lines 7-18; 0090, lines 4-6]. Furthermore, the timed sequence of frames is disclosed in (Figures 3 and 12). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to have included to the invention of Pettey the memory being a trace merge memory comprising:

first addressable locations having data for X blocks of first direction packets of said bursts; and

second addressable locations having data for Y blocks of second direction packets of said bursts, said first addressable locations interspersed with said second addressable locations; wherein,

addresses of said first and second addressable locations are ordered within the memory according to reception times of said X and Y blocks in said communication traffic in order to keep track of reception times as suggested by Pettey [0066 and 0118].

***Allowable Subject Matter***

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3. Claims 2-8, 10-16 and 18 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

**Conclusion**

4. **Any response to this action should be mailed to:**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**or faxed to:**

(571) 273-8300, (for formal communications intended for entry)

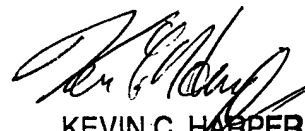
5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jamal A. Fox whose telephone number is (571) 272-3143. The examiner can normally be reached on Monday-Friday 8:30 AM - 7:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Seema Rao can be reached on (571) 272-3174. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to 2600 Customer Service whose telephone number is (571) 272-2600.



**Jamal A. Fox**



3/6/06  
**KEVIN C. HARPER**  
**PATENT EXAMINER**

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